

BILL NO. Z-86-10-12

ZONING MAP ORDINANCE NO. Z-

15-86

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. S-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a P.O.D. (Professional Office District)
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

The West 90.5 feet of the East 773.78 feet of the North
962.5 feet of the East 1/2 of the Southeast 1/4 of
Section 32, Township 31 North, Range 13 East, except
that part conveyed for the widening of East State Blvd.
and the symbols of the City of Fort Wayne Zoning Map No.
S-14, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Eisbart
seconded by Stier, and duly adopted, read the second ti
by title and referred to the Committee Regulation (and the C
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wa
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M.,

DATE: 10-14-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbart
seconded by Stier, and duly adopted, placed on it
passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 11-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-15-86

on the 25th day of November, 1986

ATTEST:

(SEAL)

Sandra E. Kennedy

Samuel J. Talarico

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana
on the 26th day of November, 1986
at the hour of 11:00 o'clock 7 .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of November
1986, at the hour of 11:00 o'clock 7 .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT

CK# 1062

COMMUNITY DEVELOPMENT & PLANNING

No 1126

Ft. WAYNE, IND., 8-1 1986

RECEIVED FROM

Cass State Pds Center

\$

50.00

THE SUM OF

fifty & 00/100

DOLLARS

ON ACCOUNT OF

rezoning - R-1 to P.O.D
4524 E. State

Pax B.

AUTHORIZED SIGNATURE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Paul E. Roy and Helen M. Roy
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne
Indiana, by reclassifying from a/an R-1 District to a an P.O.D.
District the property described as follows:

The West 90.5 feet of the East 773.78 feet of the North 962.5 feet
of the East 1/2 of the Southeast 1/4 of Section 32, except that part Township 31 North, Range 13 East
conveyed for the widening of East State Blvd.
(more commonly known as 4524 E. State Blvd.)

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

Paul E. Roy

4524 E. State, Ft. Wayne, IN 46815

Helen M. Roy

4524 E. State, Ft. Wayne, IN 46815

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

William D. Swift

590 Lincoln Tower
Ft. Wayne, IN 46802

423-4422

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,
Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

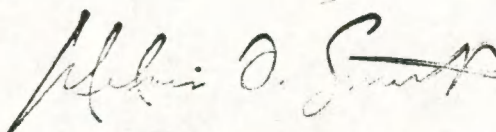
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this
6th day of November 1986.



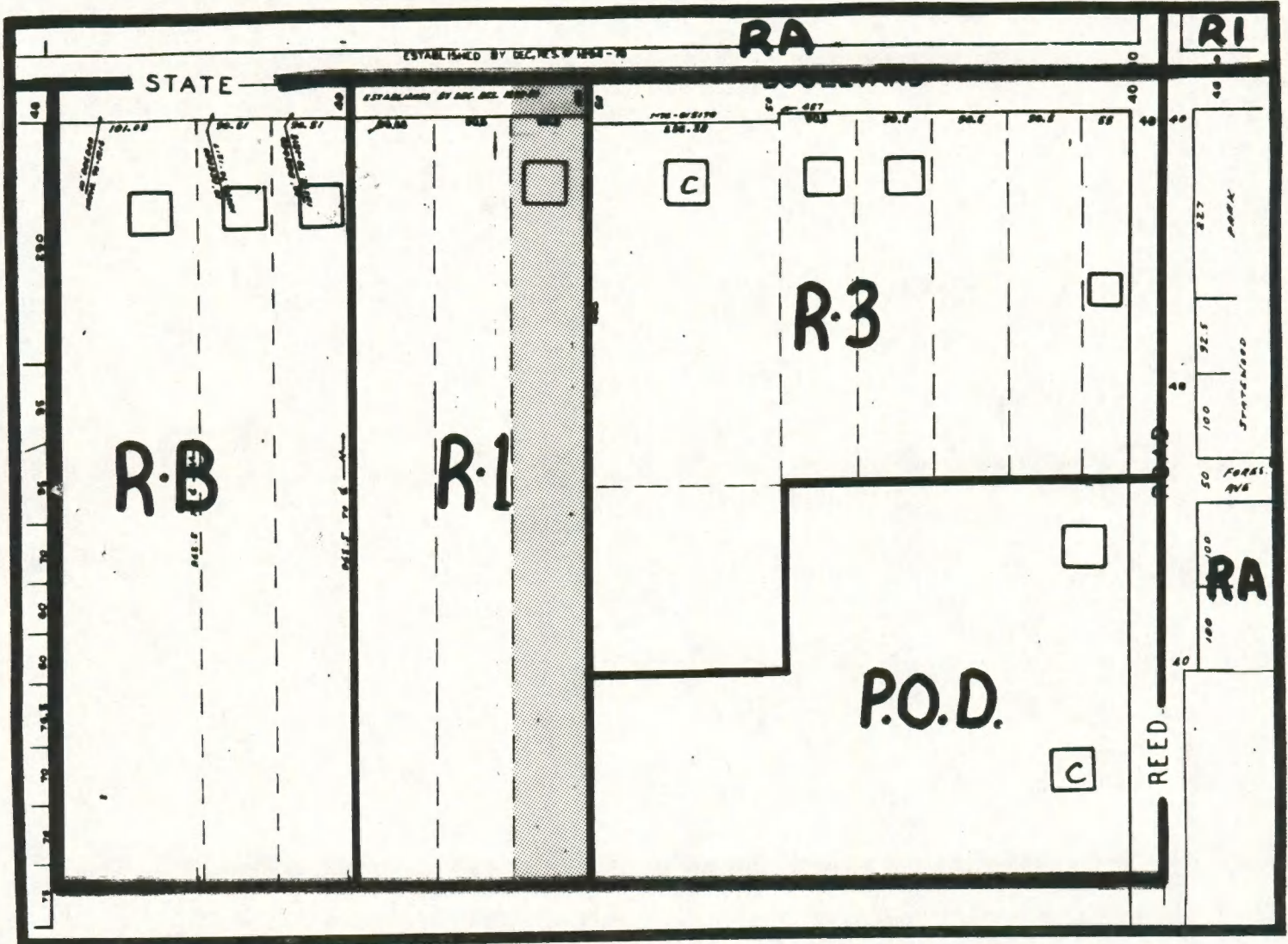
Melvin O. Smith
Secretary

REZONING PETITION 71227

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING
THE DESCRIBED PROPERTY FROM AN R-1 TO A P.O.D. DISTRICT.

MAP NO. 5-14

COUNCILMANIC DISTRICT NO. 2



ZONING:

LAND USE:

RI RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
RA RESIDENCE 'A'
RB RESIDENCE 'B'
P.O.D. PROFESSIONAL OFFICE DISTRICT

□ SINGLE FAMILY
Ⓢ COMMERCIAL

SCALE: 1" = 200'

DATE: 8-28-86



Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment
From R-1 to POD

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

4524 E. State B1

Reason for Project

To allow for expansion of a Professional Office District.

Discussion (Including relationship to other Council actions)

20 October 1986 - Public Hearing

William Swift, attorney for the petitioners stated that this parcel of ground is located immediately adjacent to what it now known as State/Reed Professional Office Park. Mr. Swift stated that the purpose of the rezoning is to incorporate this additional acreage as part of the overall development plan. He stated that the developers feel that having all of the property under the same zoning classification would make for a nicer and more uniform development consistent with the long range planning goals and it would also be a buffer for the commercial area to the west. Mr. Swift stated that they had no problem with the conditions stated in the staff analysis with the exception of the required setback on the west. He stated that they are requesting that they are requesting it be a 20 foot setback on the west. He stated that they do not intend to build in that 30 feet but would like to use it for parking.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Paul & Helen Roy City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of approval one did not vote.

NOTE: The staff changed its recommendation on the required setback on the west side of the property to coincide with the request of the petitioner.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date August 1, 1986

Projected Completion or Occupancy

Date November 6, 1986

Fact Sheet Prepared by

Date November 6, 1986

Patricia Biancaniello

Reviewed by

Date 11/12/86

Gary Bantz

Reference or Case Number

COUNCILMANIC DISTRICT No. _____

DIGEST SHEET

Appr. _____

ORIGINAL

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 4524 E. State Bl

3-86-10-12

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential.
Property will become P.O.D. - Professional Office District.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____)

BILL NO. Z-86-10-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. S-14

Handwritten: Held
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

[Signature]
BEN A. EISBART
CHAIRMAN

[Signature: Janet G. Bradbury]
JANET G. BRADBURY
VICE CHAIRWOMAN

[Signature: Donald J. Schmidt]
DONALD J. SCHMIDT

[Signature: Thomas C. Henry]
THOMAS C. HENRY

[Signature: Charles B. Redd]
CHARLES B. REDD

CONCURRED IN 11-25-86

SANDRA E. KENNEDY
CITY CLERK